

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATIONS
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Frank Talarico
Subsurface Sewage Disposal System Installer

Petition No. 850604-33-001

CONSENT ORDER

WHEREAS, Frank Talarico of P.O. Box 705, Southbury, Connecticut has been issued license number I-2517 to practice as a subsurface sewage disposal system installer by the Department of Health Services pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and

WHEREAS, Frank Talarico hereby admits and acknowledges that:

1. On or about 11 May 1985 he failed to obtain the proper permit prior to repairing a septic system on property owned by Stuart Kerr in Beacon Falls, Connecticut.
2. He failed to have said installation inspected or approved by the town sanitarian or Valley Health Department.
3. By his actions described in 1. and 2. above has violated §20-341f of the General Statutes of Connecticut and §19-13-B103e of the Public Health Code by failing to conform to the accepted standards of the subsurface sewage disposal system installers profession.

NOW THEREFORE, pursuant to §19a-17 and §20-341f of the General Statutes of Connecticut, as amended, Frank Talarico hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter.

2. That he is hereby assessed a civil penalty of \$250.00 for failing to comply with the provisions of §20-341f of the General Statutes of Connecticut. Said penalty is to be paid to the Treasurer, State of Connecticut, and forwarded to the Public Health Hearing Office, Department of Health Services, 150 Washington Street, Hartford, CT 06106. Payment of the aforementioned fine by certified check shall accompany this document upon execution by the respondent, Frank Talarico.
3. That his license number I-2517 to practice as a subsurface sewage disposal system installer is suspended for a period of three months.
4. That said suspension shall be stayed immediately, and he will be placed on probation for the period of three months, conditioned on the following terms of probation:
 - a. he shall obtain proper approval and permits prior to repairing or installing septic systems in all future installations;
 - b. he shall ensure proper inspection or approval by town authorities of all septic system repairs or installations.
5. That violation of any of the conditions listed in 4.a. through 4.b., inclusive, will result in the summary suspension of his license by the Department of Health Services.
6. That this Consent Order is effective the first day of the next month after which the seal of the last signatory is affixed to this document.
7. That he understands that notice of this Consent Order is a matter of public record.

8. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Department of Health Services (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-341f of the General Statutes of Connecticut, as amended, is at issue.
9. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapter 54 or 368a of the General Statutes of Connecticut, as amended, provided that this stipulation shall not deprive him of any other rights that he may have under the laws of the State of Connecticut or of the United States.
10. That he has the right to consult with an attorney prior to signing this document.

I, Frank Talarico, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

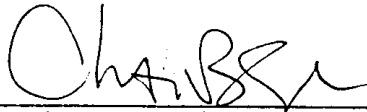
Frank Talarico
Frank Talarico

Subscribed and sworn to before me this 8 day of March 1986.

Robert D. Shuman
Notary Public or person authorized
by law to administer an oath or
affirmation.

ROBERT D. SHUMAN
NOTARY PUBLIC
MY COMMISSION EXPIRES MARCH 12, 1987.

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Health Services on the 12th day of March 1986, it is hereby ordered and accepted.



Christine B. Spak, Chief
Public Health Hearing Office

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